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U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LONG ISLAND OFFICE

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F. #2014R00337

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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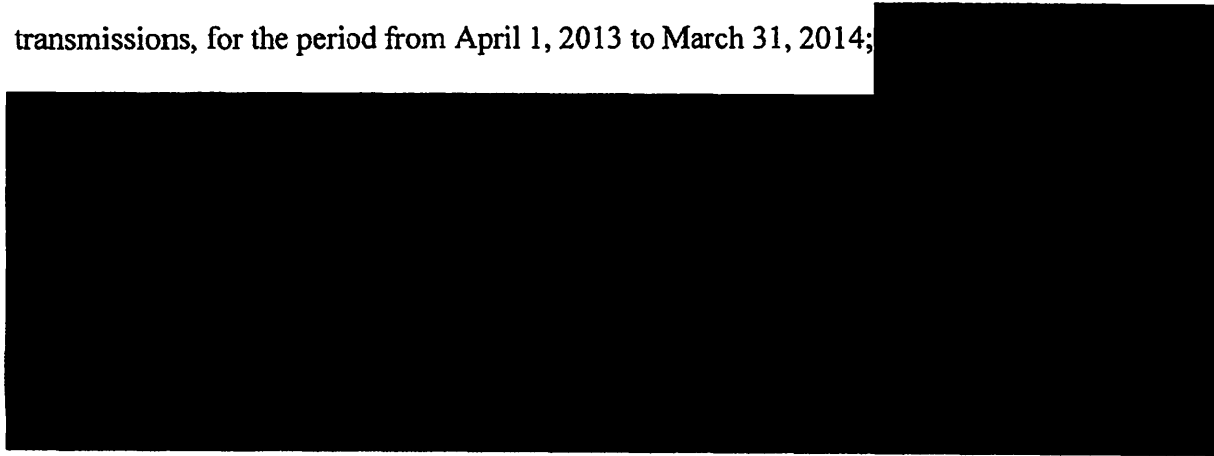
IN THE MATTER OF AN APPLICATION OF
THE UNITED STATES OF AMERICA FOR AN
ORDER AUTHORIZING THE RELEASE OF
HISTORICAL CELL-SITE INFORMATION

SEALED APPLICATION

MC 14-1046

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Raymond A. Tierney, an Assistant United States Attorney for the Eastern District of New York, hereby applies to the Court for Orders pursuant to 18 U.S.C. § 2703(c)(1) and (d), directing that within seven days: (1) Verizon Wireless disclose recorded information identifying the base station towers and sectors that received transmissions from (631) 748-2151, a telephone issued by Verizon Wireless and subscribed to Patricia A. Walsh, 211 Apex Lane, East Islip, New York 11730 ("SUBJECT TELEPHONE 1"), at the beginning and the end of calls or text message transmissions, and the mobile switching center serving SUBJECT TELEPHONE 1 during any calls or text message transmissions, and the mobile switching center serving SUBJECT TELEPHONE 1 during any calls or text message transmissions, for the period from April 1, 2013 to March 31, 2014;



[REDACTED]

(collectively, the "HISTORICAL CELL-SITE INFORMATION").

In support of this application I state the following:

1. I am an Assistant United States Attorney in the Office of Loretta E. Lynch, United States Attorney for the Eastern District of New York. As such, I am a duly-authorized representative of a "governmental entity" under 18 U.S.C. § 2703(c) and (d) and am authorized to apply for Orders authorizing the disclosure of the HISTORICAL CELL-SITE INFORMATION.

2. The Court is authorized to order the disclosure of the HISTORICAL CELL-SITE INFORMATION upon the government offering specific and articulable facts showing that there are reasonable grounds to believe that the information sought is relevant and material to an ongoing criminal investigation. 18 U.S.C. § 2703(d).

3. I have discussed this matter with a Special Agent of the Federal Bureau of Investigation (the "FBI" or "investigative agency"), who is involved in the investigation detailed in this application. Based upon my discussions with the agent, and as set forth more fully below, I believe that the HISTORICAL CELL-SITE INFORMATION likely to be

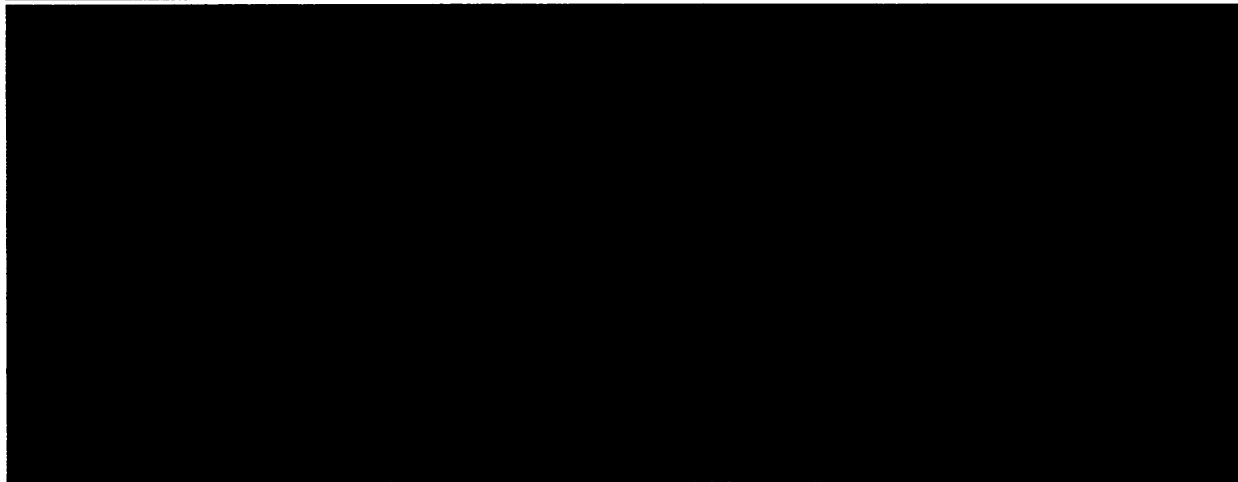
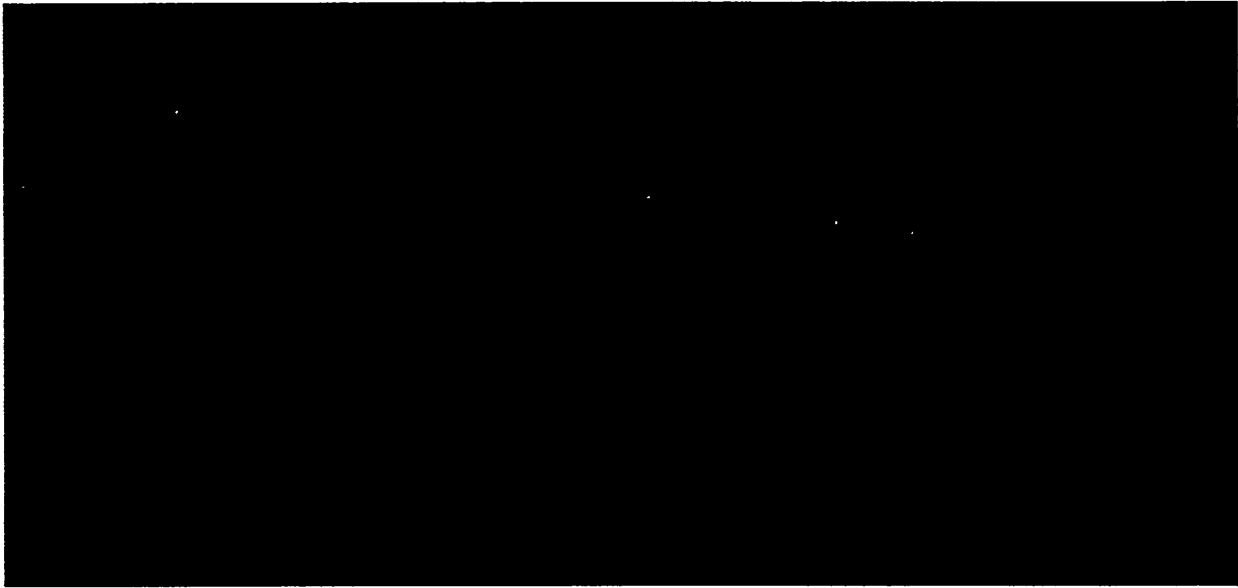
obtained is relevant to an ongoing criminal investigation as required by 18 U.S.C. § 2703(d).¹ First, the FBI is conducting a criminal investigation into possible violations of federal criminal law, including but not limited to federal program embezzlement in violation of 18 U.S.C. § 666. Second, as set forth below, it is believed that Edward Walsh (“Walsh”), a Correction Officer Investigator Lieutenant of the Suffolk County Sherriff’s Office (the “SCSO”), has fraudulently collected wages from the SCSO, a state government agency. Moreover, there are reasonable grounds to believe that the HISTORICAL CELL-SITE INFORMATION sought will provide location data to determine whether or not Edward Walsh was present at Suffolk County Correctional facilities, including the Suffolk County Correctional facilities in Riverhead, New York (the “Riverhead Correctional Facility”) and Yaphank, New York (the “Yaphank Correctional Facility”) during hours that Walsh was scheduled to be working.

4. The following specific and articulable facts demonstrate that there are reasonable grounds to believe that the HISTORICAL CELL-SITE INFORMATION sought is relevant and material to an ongoing criminal investigation:

a. The FBI is currently investigating whether Edward Walsh engaged in a scheme to fraudulently collect wages from the SCSO. The investigation has revealed that there are reasonable grounds to believe that on many occasions in or about and between April 2013 and March 2014, Walsh left the Riverhead Correctional Facility, where he is assigned, during his regularly scheduled tour of duty to, among other things, play golf at the

¹ As the purpose of this Application is to set forth those facts necessary to establish that there are reasonable grounds to believe that the HISTORICAL CELL-SITE INFORMATION sought is relevant to an ongoing criminal investigation, this Application does not set forth all of the facts and circumstances of which the investigating agency is aware.

Hampton Hills Country Club in Westhampton Beach, New York. Moreover, the investigation has revealed that there are reasonable grounds to believe that Walsh received both regular and overtime pay from the SCSO for hours Walsh was not working. The investigation has further revealed that Edward Walsh uses SUBJECT TELEPHONE 1, a cellular telephone subscribed to his wife, Patricia A. Walsh.



[REDACTED]

d. The HISTORICAL CELL-SITE INFORMATION will further the investigation by providing previous location information of Edward Walsh [REDACTED]. Specifically, there are reasonable grounds to believe that such information will assist investigators in determining whether or not Edward Walsh was present at the Riverhead Correctional Facility (where he was assigned) or the Yaphank Correctional Facility (where he would have reason to go), during hours Walsh was scheduled to be working as a Correction Officer Investigator Lieutenant. [REDACTED]

[REDACTED]


e. Based on the foregoing, there are reasonable grounds to believe that the historical locations of SUBJECT TELEPHONE 1 [REDACTED] [REDACTED] are relevant to the ongoing criminal investigation.

5. Based upon the above, the government requests that the Court issue Orders of Authorization and Orders to the Service Provider to [REDACTED] Verizon Wireless [REDACTED] that provide, pursuant to 18 U.S.C. § 2703(c)(1) and (d), a directive to Verizon Wireless [REDACTED] to supply within seven days the HISTORICAL CELL-SITE INFORMATION for the period from April 1, 2013 to March 31, 2014.

6. The government also requests that Verizon Wireless [REDACTED] and any other person or entity whose assistance is used to facilitate execution of the Orders be ordered not to disclose: (a) the existence of the Orders of Authorization; (b) the existence of the Orders to the Service Provider and (c) the production of the HISTORICAL CELL-SITE INFORMATION, to the listed subscribers for SUBJECT TELEPHONE 1 [REDACTED] [REDACTED], the subscribers of the telephones initiating incoming calls to or receiving outgoing calls from SUBJECT TELEPHONE 1 [REDACTED] [REDACTED], or to any other person, unless and until otherwise ordered by the Court. Disclosure of this application and the orders sought herein would seriously jeopardize an ongoing investigation and would give targets of the investigation an opportunity to destroy evidence, harm or threaten other witnesses, change patterns of behavior, notify confederates and flee from or evade prosecution.

7. No prior request for the relief set forth herein has been made except to the extent set forth above. The foregoing is affirmed under the penalties of perjury. See 28 U.S.C. § 1746.

Dated: Central Islip, New York
August 26, 2014


Raymond A. Tierney
Assistant United States Attorney
(631) 715-7849

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

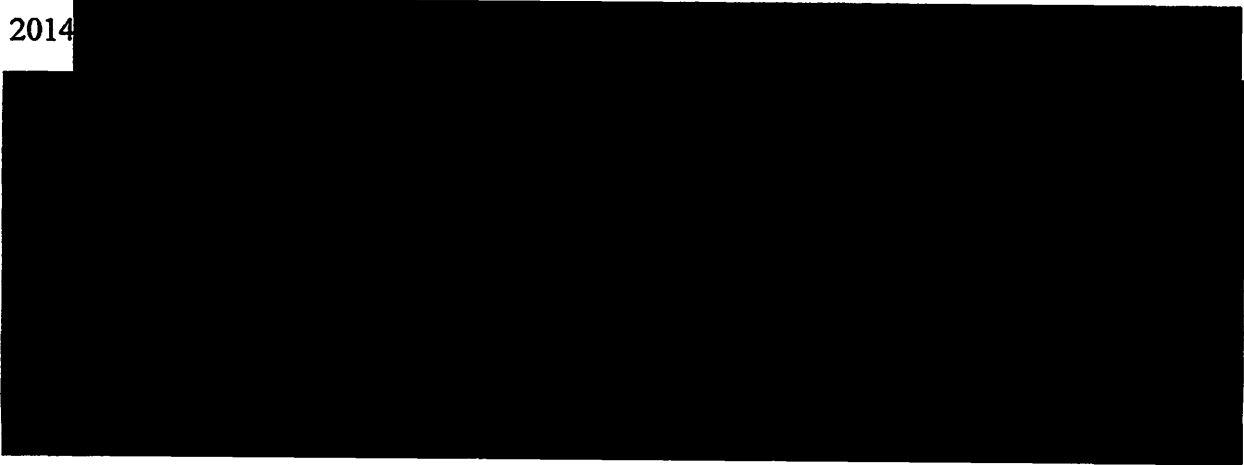
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IN THE MATTER OF AN APPLICATION
OF THE UNITED STATES OF AMERICA
FOR AN ORDER AUTHORIZING THE RELEASE
OF HISTORICAL CELL-SITE INFORMATION

SEALED ORDER
OF AUTHORIZATION

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This matter having come before the Court pursuant to an application by Assistant United States Attorney Raymond A. Tierney, an attorney for the government as defined by Rule 1(b)(1) of the Federal Rules of Criminal Procedure and a duly-authorized representative of a “governmental entity” under 18 U.S.C. § 2703(c) and (d), requesting Orders pursuant to 18 U.S.C. § 2703(c)(1) and (d), directing that within seven days Verizon Wireless (the “service provider”) disclose: (1) recorded information identifying the base station towers and sectors that received transmissions from (631) 748-2151, a telephone issued by the service provider and subscribed to Patricia A. Walsh, 211 Apex Lane, East Islip, New York 11730 (“SUBJECT TELEPHONE 1”), at the beginning and the end of calls or text message transmissions, and the mobile switching center serving SUBJECT TELEPHONE 1 during any calls or text message transmissions, for the period from April 1, 2013 to March 31, 2014



[REDACTED] (collectively, the "HISTORICAL CELL-SITE INFORMATION");

UPON REVIEW OF THE APPLICATION, THE COURT HEREBY FINDS THAT:

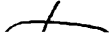
Pursuant to 18 U.S.C. § 2703(c)(1) and (d), the government has offered specific and articulable facts showing that there are reasonable grounds to believe that the HISTORICAL CELL-SITE INFORMATION is relevant and material to an ongoing criminal investigation into possible violations of federal criminal laws, including but not limited to federal program embezzlement in violation of 18 U.S.C. § 666, being conducted by the Federal Bureau of Investigation (the "investigative agency"); now therefore,

IT IS HEREBY ORDERED, pursuant to 18 U.S.C. § 2703(c)(1) and (d), that the service provider shall supply to the investigative agency within seven days the HISTORICAL CELL-SITE INFORMATION for the period from April 1, 2013 to March 31, 2014;

Good cause having been shown, IT IS FURTHER ORDERED, that this Order and the application be sealed until otherwise ordered by the Court, and that the service provider, its representatives, agents and employees, and any other person or entity involved in facilitating this Order shall not disclose in any manner, directly or indirectly, by any action or inaction, the existence of this Order, the existence of the Order to Service Provider or the production of the HISTORICAL CELL-SITE INFORMATION to the listed subscribers for

SUBJECT TELEPHONE 1 [REDACTED], the subscribers of the telephones
initiating incoming calls to or receiving outgoing calls from SUBJECT TELEPHONE 1 [REDACTED]
[REDACTED], or to any other person.

Dated: Central Islip, New York
August 28, 2014


(/s/ A. Kathleen Tomlinson

THE HONORABLE A. KATHLEEN TOMLINSON
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IN THE MATTER OF AN APPLICATION OF
THE UNITED STATES OF AMERICA FOR AN
ORDER AUTHORIZING THE RELEASE OF
HISTORICAL CELL-SITE INFORMATION

SEALED ORDER TO
SERVICE PROVIDER

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WHEREAS this Court has, upon the application of the United States of America, entered an Order pursuant to 18 U.S.C. § 2703(c)(1) and (d), directing that within seven days Verizon Wireless (the “service provider”) disclose: (1) recorded information identifying the base station towers and sectors that received transmissions from (631) 748-2151, a telephone issued by the service provider and subscribed to Patricia A. Walsh, 211 Apex Lane, East Islip, New York 11730 (“SUBJECT TELEPHONE 1”), at the beginning and the end of calls or text message transmissions, and the mobile switching center serving SUBJECT TELEPHONE 1 during any calls or text message transmissions, for the period from April 1, 2013 to March 31, 2014

[REDACTED]

(collectively, the

“HISTORICAL CELL-SITE INFORMATION”);

NOW, THEREFORE, IT IS HEREBY:

ORDERED, pursuant to 18 U.S.C. § 2703(c)(1) and (d), that the service provider shall supply within seven days the HISTORICAL CELL-SITE INFORMATION for the period from April 1, 2013 to March 31, 2014;

IT IS FURTHER ORDERED that this Order shall be sealed until otherwise ordered by the Court, except that copies may be retained by the United States Attorney's Office, the Federal Bureau of Investigation, the service provider and any other person or entity whose assistance is used to execute this Order; and

IT IS FURTHER ORDERED that unless and until otherwise ordered by the Court, the service provider and its representatives, agents and employees, and any other person or entity providing technical assistance in executing this Order shall not disclose until further notice in any manner, directly or indirectly, by any action or inaction, the existence of the this Order or the production of the HISTORICAL CELL-SITE INFORMATION, to the listed subscribers for SUBJECT TELEPHONE 1 [REDACTED], the subscribers of the telephones initiating incoming calls to or receiving outgoing calls from SUBJECT TELEPHONE 1 [REDACTED], or to any other person.

Dated: Central Islip, New York
August 28, 2014


/s/ A. Kathleen Tomlinson

THE HONORABLE A. KATHLEEN TOMLINSON
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK